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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/635,669	08/07/2003	Lewis K. Cime	P1954C-944	8894
21839 7590 05/21/2007 BUCHANAN, INGERSOLL & ROONEY PC POST OFFICE BOX 1404 ALEXANDRIA, VA 22313-1404			EXAMINER LIN, WEN TAI	
			ART UNIT 2154	PAPER NUMBER
			MAIL DATE 05/21/2007	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/635,669

Applicant(s)

CIRNE ET AL.

Examiner

Wen-Tai Lin

Art Unit

2154

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 8/7/2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-59 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-59 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 07 August 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>8/03</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. Claims 1-59 are presented for examination.
2. Applicant is reminded to update the application status of 08/853539 listed on the specification amendment page and application 08/644704, listed as incorporation by reference.
3. Claims 12, 24, 32, 39, 42, 44, 49, 54, 57 and 59 are objected to because the term "the mechanism" appears to lack antecedent basis.

Double Patenting

The nonstatutory double patenting rejection is based on a judicially created doctrine grounded in public policy (a policy reflected in the statute) so as to prevent the unjustified or improper timewise extension of the "right to exclude" granted by a patent and to prevent possible harassment by multiple assignees. A nonstatutory obviousness-type double patenting rejection is appropriate where the conflicting claims are not identical, but at least one examined application claim is not patentably distinct from the reference claim(s) because the examined application claim is either anticipated by, or would have been obvious over, the reference claim(s). See, e.g., *In re Berg*, 140 F.3d 1428, 46 USPQ2d 1226 (Fed. Cir. 1998); *In re Goodman*, 11 F.3d 1046, 29 USPQ2d 2010 (Fed. Cir. 1993); *In re Longi*, 759 F.2d 887, 225 USPQ 645 (Fed. Cir. 1985); *In re Van Ornum*, 686 F.2d 937, 214 USPQ 761 (CCPA 1982); *In re Vogel*, 422 F.2d 438, 164 USPQ 619 (CCPA 1970); and *In re Thorington*, 418 F.2d 528, 163 USPQ 644 (CCPA 1969).

A timely filed terminal disclaimer in compliance with 37 CFR 1.321(c) or 1.321(d) may be used to overcome an actual or provisional rejection based on a nonstatutory double patenting ground provided the conflicting application or patent either is shown to be commonly owned with this application, or claims an invention made as a result of activities undertaken within the scope of a joint research agreement.

Effective January 1, 1994, a registered attorney or agent of record may sign a terminal disclaimer. A terminal disclaimer signed by the assignee must fully comply with 37 CFR 3.73(b).

4. Claim 1 is rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claim 1 of U.S. Patent No. 6,663,313. Initially, it is noted that Patent No. 6,663,313 is resulted from the parent application, 08/853,539, of the instant application. Although the conflicting claims are not identical, they are not patentably distinct from each other because claim 1 of the instant application is anticipated by patent claim 1 in that claim 1 of the patent contains all the limitations of claim 1 of the instant application. Claim 1 of the instant application therefore is not patentably distinct from the earlier patent claim and as such is unpatentable for the obvious-type double patenting (In re Goodman (CA FC) 29 USPQ2d 2010 (12/3/1993)).

Claim 1 of the instant application	Claim 1 of U.S. Patent No. 6,663,313
A method for routing an event to a human interface object in a computer system, said method comprising:	A method for routing an event to a human interface object in a computer system, said method comprising:
assigning a routing type to an event;	assigning a routing type to the event;
receiving an event;	receiving the event;
determining the routing type of the received event;	determining the routing type of the received event;

and routing the event to a human interface object based on the determined routing type for the event.	and routing the received event to a human interface object based on the determined routing type for the even,
	<p>wherein an indication count is maintained for the event, the indication count for indicating interest in the event from one or more clients;</p> <p>wherein when a client registers or unregisters interest in the event, the indication count for that event is updated;</p> <p>wherein said routing type is a member of a set including a first routing type that is routed based on geometric coordinates of the received event, a second routing type that is routed based on an input focus, and a third routing type that is broadcast to a plurality of interface objects.</p>

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

6. Claims 1, 6-8, 12-13, 18-20, 24-25, 28-29, 32, 36, 39, 41-45, 49-50 and 54 are rejected under 35 U.S.C. 102(e) as being anticipated by Carney et al.[U.S. Pat. No. 5774729].

7. Carney is cited in Applicant's IDS

8. As to claims 1 and 12, Carney teaches the invention as claimed including: a method for routing an event to a human interface object [e.g., an interactive debugger] in a computer system [Tables 1-2], said method comprising:

assigning a routing type to an event [e.g., Abstract; i.e., broadcast or targeted routing types];

receiving an event [e.g., 33, Fig.3];

determining the routing type of the received event [e.g., 35, Fig.3] and;

routing the event to a human interface object based on the determined routing type for the event [e.g., col.5 lines 54-63; col.1, line 59 – col.2 line 15; note that an interactive debugger is a human interface object. Furthermore, each human interface object in a computer system (such as display, keyboard and mouse related input/output

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routines) must be associated with at least a programming language and therefore is an inherent member of one of the event handler (col.1, lines 38-49)].

9. As to claim 6, Carney further teaches that one or more clients can register interest in an event such that when the event is received, the event is sent to each client which registered interest [e.g., col.1 lines 38-54; col. 10, lines 1-4].

10. As to claim 7, Carney further teaches that a client can unregister interest in an event [e.g., 12, Fig.1; col.4, lines 1-19; i.e., when a routine is removed from its PPA it is unregistered from its associated event].

11. As to claim 8, Carney further teaches that an indication as to interest is maintained for each event and is updated when a client registers and unregisters interest in the event [col.4, lines 1-19; col.4, lines 41-60; col.6, lines 1-20; i.e., each member is assigned a member number or code as an indication of interest in the event and such membership is inherently updated through PPA after compilation].

12. As to claims 13, 18-20, 24-25, 28-29, 32, 36, 39, 41-45, 49-50 and 54, since the features of these claims can also be found in claims 1, 6-8 and 12, they are rejected for the same reasons set forth in the rejection of claims 1, 6-8 and 12 above.

Claim Rejections - 35 USC § 103

13. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

14. Claims 2-5, 9-11, 14-17, 21-23, 26-27, 30-31, 33-35, 37-38, 40, 46-48, 51-53 and 55-59 are rejected under 35 U.S.C. 103(a) as being unpatentable over Carney et al.(hereafter "Carney") [U.S. Pat. No. 5774729], as applied to claims 1, 6-8, 12-13, 18-20, 24-25, 28-29, 32, 36, 39, 41-45, 49-50 and 54 above.

15. As to claim 2, Carney teaches that said routing type is a member of a set including a first routing type that is routed via broadcast mode and a second routing type that is routed based on an input focus (i.e., targeted mode) [Abstract; col.4 lines 41-60].

Carney does not specifically teach that the routing type includes one that is routed based on geometric coordinates of an event.

However, events based on geometric coordinates are well known in the art. For example, using a mouse to click on a selected icon on a tool bar is an event based on geometric coordinates.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to include the events based on geometric coordinates as one of the routing types because addition of this category would facilitates the finding of its associated application routine via a direct coordinate-to-event handler mapping.

16. As to claim 3, Carney further teaches that the set further includes a third routing type that is broadcast to a plurality of interface objects [e.g., Abstract; col.4 lines 41-60].

17. As to claims 4-5, Carney does not specifically teach that the routing type is one of an extensible plurality of routing types, wherein routing types can be added or deleted to said plurality.

However, for the same reasons stated in the rejection of claim 2 above, it is obvious to make the number of routing types flexible because execution environment varies among different systems, therefore it makes sense to adjust the event-associated routing types according to the actual system complexity [e.g., col. 1, lines 27-36].

18. As to claims 9-11, Carney does not specifically teach that the indication is a count which is incremented when a client registers interest in the event and is decremented when a client unregisters interest in the event, wherein said indication as to interest is maintained by adding an event to a handler table, and wherein when the indication no longer indicates interest in an event, the event is removed from said handler table.

However, since Carney's system maintains a list of members associated with each event, it would be obvious to add a parameter to count the number of members as an indication of interest in the respective event because it saves additional effort from counting the members in each list [e.g., col.6, lines 1-41; Table 1].

19. As to claims 14-17, 21-23, 26-27, 30-31, 33-35, 37-38, 40, 46-48, 51-53 and 55-59, since the features of these claims can also be found in claims 1-6, 8-11, 13, 18, 20, 25, 29, 36, 45, 50 and 54, they are rejected for the same reasons set forth in the rejection of claims 1-6, 8-11, 13, 18, 20, 25, 29, 36, 45, 50 and 54 above.

20. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

Ackroff et al. [U.S. Pat. No. 5721913];

Araujo et al. [U.S. Pat. No. 5654961]; and

Ash et al. [U.S. Pat. No. 5559877].

21. A shortened statutory period for response to this action is set to expire 3 (three) months and 0 days from the mail date of this letter. Failure to respond within the period for response will result in ABANDONMENT of the application (see 35 U.S.C. 133, M.P.E.P. 710.02, 710.02(b)).

Conclusion

Examiner note: Examiner has cited particular columns and line numbers in the references as applied to the claims above for the convenience of the applicant.

Although the specified citations are representative of the teachings of the art and are applied to the specific limitations within the individual claim, other passages and figures may apply as well. It is respectfully requested from the applicant in preparing responses, to fully consider the references in entirety as potentially teaching all or part of the claimed invention, as well as the context of the passage as taught by the prior art or disclosed by the Examiner.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Wen-Tai Lin whose telephone number is (571)272-3969. The examiner can normally be reached on Monday-Friday(8:00-5:00).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nathan Flynn can be reached on (571) 272-1915. The fax phone numbers for the organization where this application or proceeding is assigned are as follows:

(571) 273-8300 for official communications; and

(571) 273-3969 for status inquiries draft communication.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Wen-Tai Lin

May 9, 2007

Wen-Tai Lin
5/9/07